

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT
OF TEXAS VICTORIA
DIVISION

ROGER KRAUSE, KAREN KRAUSE, §
STEPHEN KOLLE, MICHELE §
KUYKENDALL, AND ALLISON KOLLE §
Plaintiffs, §
§
v. §

THE UNITED STATES OF AMERICA, §
CYNTHIA ZAMORA MCCOMBS AND §
DAVID ZAMORA, AND §
TERRELL MCCOMBS §
Defendants. §

CASE NO. 6:20-cv-00006

Motion for Trial Continuance

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Cynthia McCombs and Terrell McCombs (“McCombs”) in the above styled and numbered cause, and files this Motion for Trial Continuance, and would show the Court the following:

On December 20, 2021, the Court set this matter for trial starting with jury selection on Monday, January 10, 2022. This is the first trial setting.

Counsel for the McCombs has a pre-planned trip, arranged by his wife, starting on Thursday, January 13, 2022. Mr. Bradley and his wife have tickets with another couple to attend the 30A Songwriter Festival (30Asongwritersfestival.com) in Florida between January 13, 2022 and January 16, 2022 to celebrate Mr. Bradley’s January birthday. Travel arrangements were made and non-refundable tickets to the festival were purchased in July of 2020. It is unlikely that

testimony and evidence in this matter will conclude in time for Mr. Bradley to make this trip with trial starting on January 11, 2021.

Defendants' counsel requests a brief trial continuance. Specifically, Defense counsel requests that trial (evidence/witness testimony) begin the week of January 17, 2022. Jury selection on January 10, 2022 is not impacted by this request.

WHEREFORE, PREMISES CONSIDERED, Defendants pray that the Court grant this motion and continue the start of evidence in this matter.

Respectfully submitted,

WALTERS, BALIDO & CRAIN, L.L.P.

BY: /s/ David H. Bradley
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MCCOMBS

CERTIFICATE OF SERVICE

This is to certify that on this 22nd day of December, 2020, a true and correct copy of the foregoing was forwarded to all counsel of record.

/s/ David H. Bradley
DAVID H. BRADLEY

VERIFICATION

I certify that the facts stated within this motion are true and correct.

/s/ David H. Bradley
David H. Bradley

CERTIFICATE OF CONFERENCE

Defense counsel, David Bradley, reached out via e-mail to all counsel regarding the merits of this request. Plaintiff's counsel, Micah Hatley, is in agreement. Counsel for the USDA is not opposed to the requested relief. Counsel David Zamora did not respond. However, this request related to vacation/family time was filed without Zamora's response to be timely in accordance with the Court's Procedures.

/s/ David H. Bradley
David H. Bradley